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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/800,854	03/07/2001	Travis Parry	10003552-1	5600

7590

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HEWLETT-PACKARD COMPANY  
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EXAMINER
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ENG, GEORGE

ART UNIT	PAPER NUMBER
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2643

DATE MAILED: 03/07/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

# Office Action Summary

Application No.

09/800,854

Applicant(s)

PARRY, TRAVIS

Examiner

George Eng

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

## Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

## Status

- 1) ☒ Responsive to communication(s) filed on 04 February 2005.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

## Disposition of Claims

- 4) ☒ Claim(s) 1,6,15,17 and 19-28 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1,6,15,17 and 19-28 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

## Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

## Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

## Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)  
Paper No(s)/Mail Date \_\_\_\_\_.
- 4) ☐ Interview Summary (PTO-413)  
Paper No(s)/Mail Date \_\_\_\_\_.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: \_\_\_\_\_.

## **DETAILED ACTION**

### ***Response to Appeal Brief***

1. Applicant's argument for the finality of the rejection of the last Office action is persuasive and, therefore, the finality of that action is withdrawn.

### ***Claim Rejections - 35 USC § 112***

2. The following is a quotation of the first paragraph of 35 U.S.C. 112:

The specification shall contain a written description of the invention, and of the manner and process of making and using it, in such full, clear, concise, and exact terms as to enable any person skilled in the art to which it pertains, or with which it is most nearly connected, to make and use the same and shall set forth the best mode contemplated by the inventor of carrying out his invention.

3. Claims 23-28 are rejected under 35 U.S.C. 112, first paragraph, as failing to comply with the enablement requirement. The claim(s) contains subject matter, which was not described in the specification in such a way as to enable one skilled in the art to which it pertains, or with which it is most nearly connected, to make and/or use the invention.

Regarding claims 23 and 25, the specification fails to use an embedded web server of the peripheral device to provide configuration information or to describe the peripheral device comprising an embedded web server to collect and post peripheral device configuration information, instead the specification merely define the memory (206, figure 2) comprising a web server module to collect information as to the status and the setting of the peripheral (page 7 line 1 through page 8 line 8). Note the “web server module” recited in the specification does not equate to an “embedded web server” in accordance with the well established meaning of an

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explicit claim limitation as disclosed in claims 23 and 25. Thus, claim 25 contains subject matter, which was not described in the specification in such way as to enable one skilled in the art to which it pertains, or with which it is most nearly connected, to make and/or use the invention.

Claims 24 and 26-28 are also rejected because of depending on claims 23 and 25, respectively, containing the same deficiency.

4. The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

5. Claims 23-28 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

Regarding claims 23 and 25, it is unclear how a peripheral device comprising an embedded web server because it is old and notoriously well known in the art that peripheral device is referred a device that is connected to a computer and is controlled by computer's microprocessor, and the web server is referred to a computer running administrative software that controls access to a local area network. Thus, it is impossible to embed a web server, i.e., a computer running administrative software that controls access to a local area network, in a peripheral device, i.e., a device that is connected to a computer and is controlled by computer's microprocessor, according to their defined structure.

Claims 24 and 26-28 are also rejected because of depending on claims 23 and 25, respectively, containing the same deficiency.

*Claim Rejections - 35 USC § 103*

6. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

7. Claims 1, 6 and 21-22 are rejected under 35 U.S.C. 103(a) as being unpatentable over Hube (US PAT. 5,694,528) in view of Peters (US PAT. 5,769,269).

Regarding claim 1, Hube discloses a method for providing customer support to a peripheral device user comprising the steps of receiving a request from a user to contact a customer support representative with a customer support unit, i.e., a graphic user interface (62, figure 1 and figure 6), integrated with a peripheral device that is a printer (2, figure 1), which is obviously including wide variety of machines, i.e., a printer, a facsimile machine, a scanner, or multifunction peripheral (col. 7 lines 6-13), establishing a communication link between the customer support representative and the user with the customer support unit (col. 7 lines 13-32), transmitting audio communication between the customer support representative to the user while the user is at the peripheral device via the customer support unit (col. 7 lines 33-34), and presenting status and setting information from the peripheral device to the customer support representative while the communication link is active to enable the customer support representative to consult the user as to how the user can correct the problem with the peripheral device (col. 7 line 34 through col. 9 line 25). Hube differs from the claimed invention in not specifically teaching the customer support unit capable of performing audio and video

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communications. However, Peters teaches a vending system integrated with customer support unit capable of providing audio and video communication between customer and customer service representative during abnormal operations in order to make user friendly by providing real-time audio and video communication between customers and customer service representatives to assist customers during abnormal operations (col. 8 line 63 through col. 9 line 18 and col. 15 line 27 through col. 16 line 15). Hube and Peters are combinable because they are in the same field of endeavor, i.e., establishing a communication between customer and customer support representative. Therefore, it would have been obvious to a person of ordinary skill in the art at the time the invention was made to modify the peripheral device of Hube in having capability of performing audio and video communications between the customer representative and the user, as per teaching of Peters, in order to make user friendly by providing real-time audio and video communication between customers and customer service representatives to assist customers.

Regarding claims 6, Hube teaches the step of permitting the customer support representative to change setting of the peripheral device while the communication link is active so that the user can confirm that the problem has been corrected before breaking contact with the customer service representative (col. 9 lines 4-25).

Regarding claim 21, the limitations of the claim are rejected as the same reasons set forth in claim 1.

Regarding claim 22, Peters teaches to transmit communications of the customer support representative comprising the steps of transmitting audio and video data of the customer support

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representative to the customer support unit, while the user is at the equipment (col. 15 lines 42-55).

8. Claims 15, 17, 19 and 20 are rejected under 35 U.S.C. 103(a) as being unpatentable over Hube (US PAT. 5,694,528) in view of Peters (US PAT. 5,769,269) and Venkatraman et al. (US PAT. 6,170,007 hereinafter Venkatraman).

Regarding claim 15, Hube discloses a method for providing customer support to a peripheral device user comprising the steps of receiving a request from a user to contact a customer support representative with a customer support unit, i.e., a graphic user interface (62, figure 1 and figure 6), integrated with a peripheral device that is a printer (2, figure 1), which is obviously including wide variety of machines, i.e., a printer, a facsimile machine, a scanner, or multifunction peripheral (col. 7 lines 6-13), establishing a communication link between the customer support representative and the user with the customer support unit (col. 7 lines 13-32), transmitting audio communication between the customer support representative to the user while the user is at the peripheral device via the customer support unit (col. 7 lines 33-34), and presenting status and setting information from the peripheral device to the customer support representative while the communication link is active to enable the customer support representative to consult the user as to how the user can correct the problem with the peripheral device (col. 7 line 34 through col. 9 line 25). In addition Hube discloses the customer support unit comprising a speaker that adapted to present audio data of a customer support representative to the user and a microphone (col. 6 lines 46-52 and col.7 lines 33-34) Hube differs from the claimed invention in not specifically teaching the customer support unit comprises a display that

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is adapted to present video data of the customer support representative and a video camera that is adapted to capture video data of the user in order to perform video communications. However, Peters teaches a vending system integrated with customer support unit comprising a speaker (66, figure 1A), a display (50, figure 1A), a microphone (43, figure 1A) and a camera (42, figure 1A) for providing audio and video communication between customer and customer service representative in order to make user friendly by providing real-time audio and video communication between customers and customer service representatives to assist customers during abnormal operations (col. 8 line 63 through col. 9 line 18 and col. 15 line 27 through col. 16 line 15). Hube and Peters are combinable because they are in the same field of endeavor, i.e., establishing a communication between customer and customer support representative. Therefore, it would have been obvious to a person of ordinary skill in the art at the time the invention was made to modify the peripheral device of Hube in having the customer support unit comprising the display that is adapted to present video data of the customer support representative and the video camera that is adapted to capture video data of the user in order to perform video communications, as per teaching of Peters, in order to make user friendly by providing real-time audio and video communication between customers and customer service representatives to assist customers during abnormal operations. Furthermore, neither Hube nor Peters teaches a web server module of the peripheral device that is adapted to collect information as to the status and the settings of the peripheral and generate web pages containing the status and setting information. However, Venkatraman teaches web access functionality being embedded in a device to enable low cost widely accessible and to enhance user interface functions for the device, wherein the embedded web server (14, figure 1) of the peripheral device provides



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configuration information comprising posting the configuration to a web page (col. 3 lines 9-65). Therefore, it would have been obvious to a person of ordinary skill in the art at the time the invention was made to modify the combination of Hube and Peters in having the web server module of the peripheral that is adapted to collect information as to the status and the settings of the peripheral and generate web pages containing the status and setting information, as per teaching of Venkatraman, because it enables low cost widely accessible and enhances user interface functions for the peripheral device.

Regarding claim 17, Hube discloses the network interface devices include a modem (174 or 188, figure 7) adapted to transmit and receive communications (col. 6 line 31 through col. 7 line 5), as well as Lee (23, figure 1).

Regarding claim 19, Hube teaches a communication module (62, figure 1) for facilitating communications between the system and a customer support representative (col. 4 lines 19-34), as well as Peters (col. 5 lines 19-30 and col. 7 lines 15-17).

Regarding claim 20, the limitations of the claim are rejected as the same reasons set forth in claim 15.

9. Claims 23-24 are rejected under 35 U.S.C. 103(a) as being unpatentable over Hube (US PAT. 5,694,528) in view of Peters (US PAT. 5,769,269) as applied in claim 21 above, and further in view of Venkatraman et al. (US PAT. 6,170,007 hereinafter Venkatraman).

Regarding claim 23, the combination of Hube and Peters differs from the claimed invention in not specifically teaching to provide configuration information comprising posting the configuration information to a web page using an embedded web server of the peripheral

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device. However, Venkatraman teaches web access functionality being embedded in a device to enable low cost widely accessible and to enhance user interface functions for the device, wherein the embedded web server (14, figure 1) of the peripheral device provides configuration information comprising posting the configuration to a web page (col. 3 lines 9-65). Therefore, it would have been obvious to a person of ordinary skill in the art at the time the invention was made to modify the combination of Hube and Peters in providing configuration information comprising posting the configuration information to a web page using the embedded web server of the peripheral device, as per teaching of Venkatraman, because it enables low cost widely accessible and enhances user interface functions for the peripheral device.

Regarding claim 24, Hube teaches to permit the customer support representative to change a setting on the peripheral device remotely (col. 9 lines 4-25).

10. Claims 25-26 are rejected under 35 U.S.C. 103(a) as being unpatentable over Hube (US PAT. 5,694,528) in view of Venkatraman et al. (US PAT. 6,170,007 hereinafter Venkatraman).

Regarding claim 25, Hube discloses a peripheral device (2, figure 1) comprising a scanner (100, figure 2), and a customer support unit (62, figure 1) configured to facilitate communication between a peripheral device user at the peripheral device and a customer support representative, the customer support unit including a microphone that collects voice data of the user, a speaker that emits voice data of the representatives, and network interface device that enable transmitting of data between the user and the representative (col. 6 line 31 through col. 9 line 25). Hube differs from the claimed invention in not specifically teaching the peripheral comprising an embedded web server configured to collect and post peripheral device

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configuration information. However, Venkatraman teaches web access functionality being embedded in a device to enable low cost widely accessible and to enhance user interface functions for the device, wherein the embedded web server (14, figure 1) of the peripheral device provides configuration information comprising posting the configuration to a web page (col. 3 lines 9-65). Therefore, it would have been obvious to a person of ordinary skill in the art at the time the invention was made to modify Hube in having the embedded web server configured to collect and post peripheral device configuration information, as per teaching of Venkatraman, because it enables low cost widely accessible and enhances user interface functions for the peripheral device.

Regarding claim 26, Hube discloses means for receiving remote commands transmitted by the representative to change setting on the peripheral device (col. 9 lines 13-25).

11. Claims 27-28 are rejected under 35 U.S.C. 103(a) as being unpatentable over Hube (US PAT. 5,694,528) in view of Venkatraman et al. (US PAT. 6,170,007 hereinafter Venkatraman) as applied in claim 25 above, and further in view of Peters (US PAT. 5,769,269).

Regarding claims 27-28, the combination of Hube and Venkatraman differs from the claimed invention in not specifically teaching the customer support unit further comprising a camera that collect video data of the user and a display that displays video data of the representative. However, Peters teaches the customer support unit comprising a camera (42, figure 1A) for collecting video data of the user and a display (50, figure 1A) for displaying video data of the representatives in order to make user friendly by providing real-time audio and video communication between customers and customer service representatives to assist customers

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during abnormal operations (col. 8 line 63 through col. 9 line 18 and col. 15 line 27 through col. 16 line 15). Therefore, it would have been obvious to a person of ordinary skill in the art at the time the invention was made to modify the combination of Hube and Venkatraman in having the customer support unit further comprising the camera that collect video data of the user and the display that displays video data of the representative, as per teaching of Peter, because it makes user friendly by providing real-time audio and video communication between customers and customer service representatives to assist customers during abnormal operations.

### ***Response to Arguments***

12. Applicant's arguments with respect to claims 1, 6, 15, 17 and 19-28 have been considered but are moot in view of the new ground(s) of rejection.

### ***Conclusion***

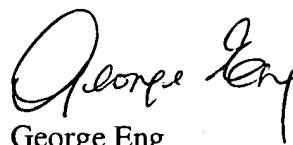
13. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure. Mayo et al. (US PAT. 6,529,936) discloses object oriented web server architecture suitable for various types of devices (abstract). Bakoglu et al. (US PAT. 5,983,369) discloses an online computer support system for simultaneously and alternating transfer of different data types including voice, image, video and other digital information, which allows a customer server representative and a user having a computer problem to communicate more effectively and solve the problem (col. 2 line 44 through col. 3 line 14).

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14. Any inquiry concerning this communication or earlier communications from the examiner should be directed to George Eng whose telephone number is 703-308-9555. The examiner can normally be reached on Tue-Fri 7:30 AM-6:00 PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Curtis A. Kuntz can be reached on 703-305-4708. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

A handwritten signature in black ink, appearing to read "George Eng". The signature is fluid and cursive, with the first name "George" written in a larger, more prominent script than the last name "Eng".

George Eng  
Primary Examiner  
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